



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 17, 2016

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 May 17, 2016

LORI GLASGOW
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT
AND VACATION OF SLOPE EASEMENT ON STONYVALE ROAD WEST OF
VOGEL FLAT ROAD IN THE UNINCORPORATED COMMUNITY OF TUJUNGA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to abandon an offer of dedication for road easement and vacate a slope easement on Stonyvale Road west of Vogel Flat Road, in the unincorporated community of Tujunga, that are no longer needed for public use.

IT IS RECOMMENDED THAT THE BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the offer of dedication for road easement and the easement for slope purposes on Stonyvale Road west of Vogel Flat Road, in the unincorporated community of Tujunga, have not been used for the purpose for which they were dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation and that they may, therefore, be vacated, pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the offer of dedication for road easement and the easement for slope purposes on Stonyvale Road west of Vogel Flat Road, in the unincorporated community of Tujunga, have been determined to be excess and not required for street or highway purposes and that they may, therefore, be vacated, pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the offer of dedication for road easement and the easement for slope purposes on Stonyvale Road west of Vogel Flat Road, in the unincorporated community of Tujunga, are not useful as nonmotorized transportation facilities, as required by Section 892 of the California Streets and Highways Code.
5. Terminate the offer of dedication for road easement on Stonyvale Road west of Vogel Flat Road, in the unincorporated community of Tujunga, and abandon the County of Los Angeles' right to accept and open the street, pursuant to Section 66477.2(c) of the California Government Code.
6. Adopt the Resolution of Summary Vacation, pursuant to Section 8335 of the California Streets and Highways Code.
7. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to abandon the offer of dedication for road easement and vacate the easement for slope purposes on Stonyvale Road west of Vogel Flat Road (Easements), in the unincorporated community of Topanga, since they no longer serve the purpose for which they were dedicated and are not required for public use. The abandonment and vacation will then result in the properties being unencumbered of the excess offer of dedication and easement, thereby allowing for improvements to the properties.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,000 fee to defray the expenses of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted on May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area of the offer of dedication for road easement to be abandoned contains approximately 4,350 square feet, and the area of the easement for slope purposes to be vacated contains approximately 1,082 square feet. Both are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easements was acquired in 1973 by Document No. 6157, as an offer to dedicate an easement for public road and highway purposes, and by Document No. 6158, as an easement for slope purposes, both of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

Mr. Bertram Voorhees, the underlying property owner, and on behalf of his neighbors Mr. and Mrs. John Benriter, requested the vacation to provide an additional buildable area for the reconstruction of their properties, which were burned during the 2009 Station Fire.

The California Streets and Highways Code, Section 8333(a), provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code, Section 8334(a), provides that the legislative body of a local agency may summarily vacate an excess right of way of a street or highway not required for street or highway purposes.

The California Streets and Highways Code, Section 8335, provides that upon making the required finding, the legislative body of a local agency may effectuate the summary vacation of a street, highway, or public service easement by adopting a resolution of vacation.

The California Streets and Highways Code, Section 892(a), provides that rights of way established for other purposes by cities, counties, or local agencies shall not be abandoned unless the governing body determines that rights of way or parts thereof are not useful as a nonmotorized transportation facility. A nonmotorized transportation facility is defined in Section 887 of the California Streets and Highways Code as a facility designed primarily for the use of pedestrians, bicyclists, or equestrians.

The California Government Code, Section 66477.2(c), provides that offers of dedication, which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the California Streets and Highways Code.

The offer to dedicate an easement for public road and highway purposes was never accepted by the County; no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements and will result in the properties being unencumbered by the Easements and available to the property owner(s) for use without restriction of the Easements.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA, as specified in Sections 15305 and 15321 of the CEQA Guidelines, which state that the class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow additional property taxes through the vacation of the Easements.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division—Asset
Management)
Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT
AND VACATION OF SLOPE EASEMENT ON STONYVALE ROAD
WEST OF VOGEL FLAT ROAD**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of an offer of dedication of an easement for public road and highway purposes and the holder of an easement for slope purposes (hereinafter referred to as the Easements) in, over, and across the real property as legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements west of Vogel Flat Road are located in the unincorporated community of Tujunga, in the County of Los Angeles, State of California.
2. The Easements have not been used for the purposes for which they were dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation.
3. The Easements have been determined to be excess and not required for public street or highway purposes.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby abandoned and vacated pursuant to Section 66477.2(c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The Director of Public Works or her designee is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated and the County's right to accept said offer of dedication will be abandoned.
7. From and after the date this resolution is recorded, the Easements will no longer constitute street, highway, or public service easements.

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The foregoing resolution was on the 17th day of May 2016 adopted by the Board of Supervisors of the County of Los Angeles and ex officio of the governing body of all other special assessment and taxing districts for which said Board so acts.



LORI GLASGOW
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Carla Little
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By [Signature]
Deputy

RA:mr

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EXHIBIT A

Project name: Stonyvale Road west of
Vogel Flat Road
STONYVALE ROAD 2-8VAC
Includes: Parcel No. 2-8ABN
A.I.N. 5869-006-012 & 013
T.G. 4724-H6
I.M. 204-217
R.D. 557
S.D. 5
M1588101

LEGAL DESCRIPTION

PARCEL NO. 2-8VAC (Vacation of slope easement):

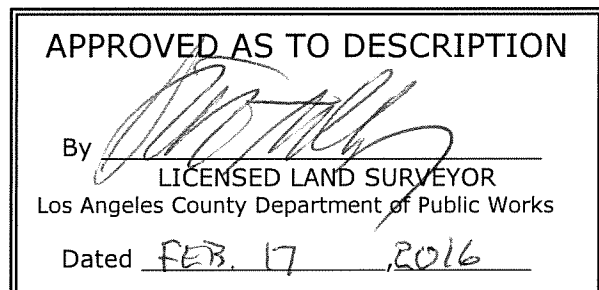
That certain parcel of land in Parcels 1 and 2 of Parcel Map No. 2535, as shown on map filed in Book 43, page 4, of Parcel Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, designated as Parcel 2 in deed to said county, recorded on February 13, 1973, as Instrument No. 6158, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 1,082± square feet.

PARCEL NO. 2-8ABN (Abandonment of offer of dedication for road easement):

That certain parcel of land in above-mentioned Parcels 1 and 2 of Parcel Map No. 2535, designated as Parcel 1 in deed to above-mentioned county, recorded on February 13, 1973, as Instrument No. 6157, of above-mentioned Official Records.

Containing: 4,350± square feet.



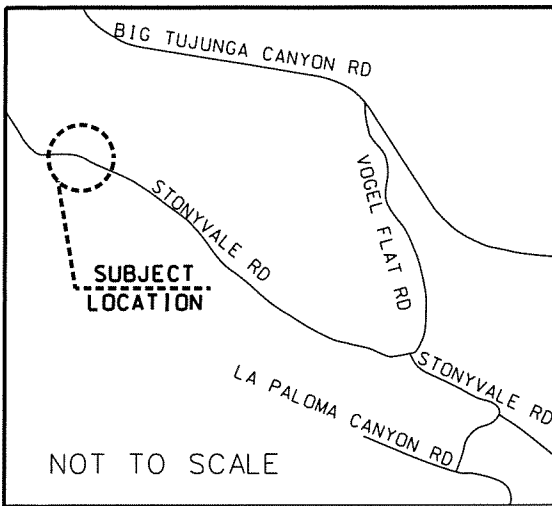
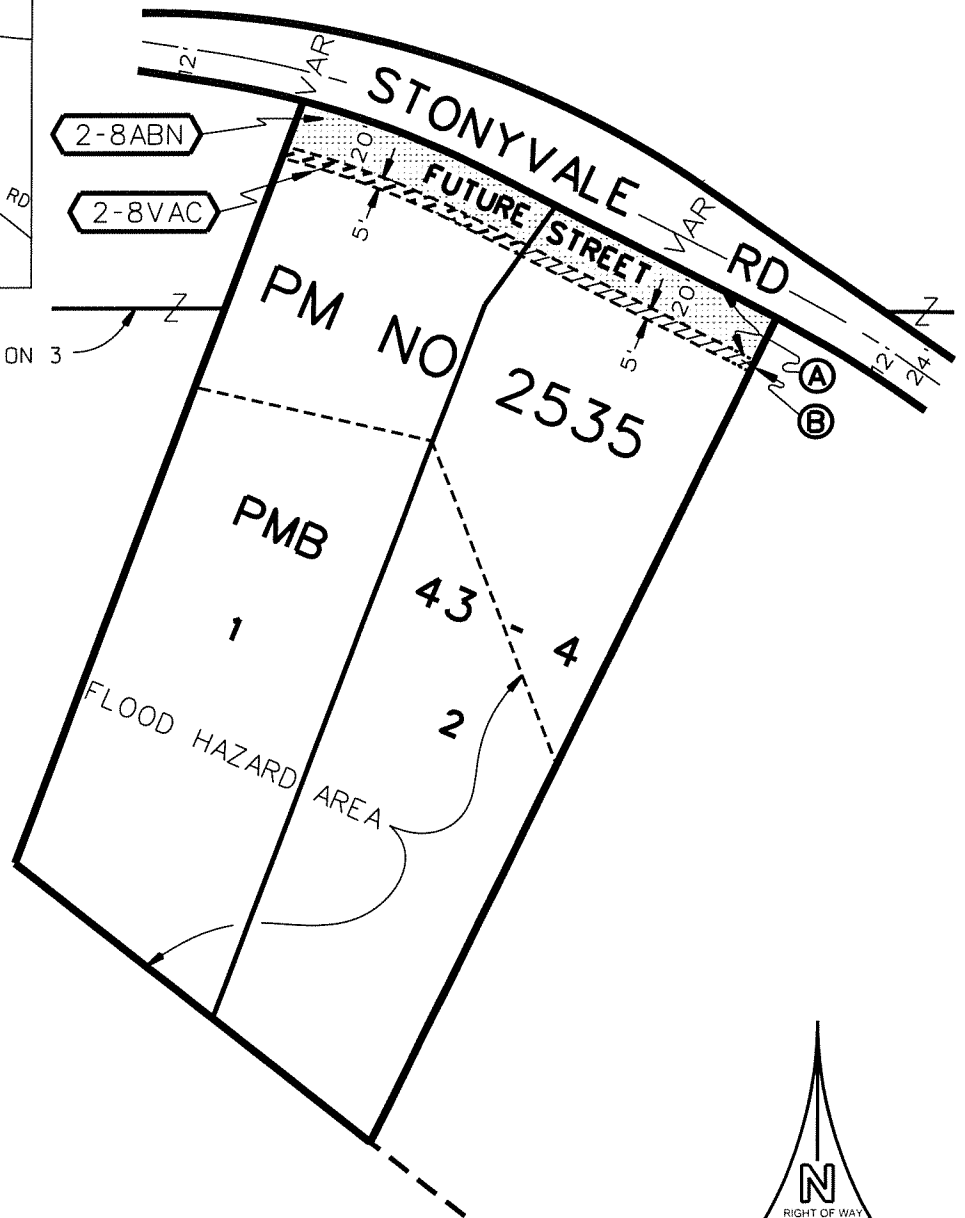
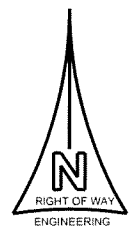
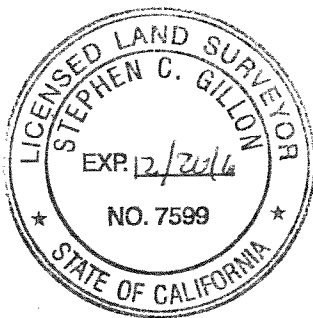


EXHIBIT B



NORTH LINE OF SW 1/4 SECTION 3

SEC 3
T2N R13W, SBM



BY [Signature] DATE FEB 17, 2016
LICENSED SURVEYOR

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LEGEND		LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION			
	Area to be Abandoned Total Area: 4350 ± s.f.	T.G. 4724-G6 & H6 I.M. 204-217 S.D. 5 R.D. 557		STONYVALE ROAD (FUTURE STREET) WEST OF VOGEL FLAT ROAD FILED WITH: STONYVALE ROAD (2)	
	Area to be Vacated Total Area: 1082 ± s.f.	DATE 2-17-16	SCALE: 1" = 80'	A.I.N 5869-006-012 & 013	
(A)	20-foot Future Street Per Doc No. 6157 Recorded 2-13-73	PREPARED BY: R. AVANCENA	REVIEWED BY: T. TRUONG	PROJECT I.D. MPV0000167	PROJECT NO. M1588101
(B)	5-foot Slope Easement Per Doc No. 6158 Recorded 2-13-73				